

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**HARRY L. BIERLEY,**  
**Petitioner,**

**vs.**

**WARDEN JAMES VESHECCO, et al**  
**Respondents**

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**C.A. No. 04-363Erie**  
**District Judge McLaughlin**  
**Magistrate Judge Baxter**

**ORDER**

AND NOW, this 13<sup>th</sup> day of October, 2005;

IT IS HEREBY ORDERED that Petitioner's Motion for leave to proceed in forma pauperis [Document # 10] is DISMISSED AS MOOT in light of the fact that Petitioner has previously paid the filing fee.

S/ Susan Paradise Baxter  
SUSAN PARADISE BAXTER  
CHIEF UNITED STATES MAGISTRATE JUDGE